

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CENTER FOR BIOLOGICAL
DIVERSITY,

Plaintiff,

v.

DEB HAALAND, et al.,

Defendants.

Case No. 1:22-cv-00335-DAD-BAK (EPG)

ORDER VACATING SCHEDULING
CONFERENCE, SETTING DISPOSITIVE-
MOTION DEADLINES, AND
TERMINATING MOTION TO STAY AS
MOOT

(ECF Nos. 11, 18)

Plaintiff filed this civil action on March 23, 2022, alleging that the U.S. Fish and Wildlife Service has failed to determine whether the Temblor legless lizard warrants protection as endangered or threatened, in violation of the Endangered Species Act's nondiscretionary, congressionally mandated deadlines. (ECF No. 1). On May 26, 2022, the parties filed a joint motion for a stay until June 26, 2022, to engage in settlement discussions. (ECF No. 11). On June 30, 2022, Plaintiff filed a motion for summary judgment. (ECF No. 15).

This matter is now before the Court on the parties' joint status report, filed ahead of the initial scheduling conference set for July 12, 2022. (ECF Nos. 6, 18). The parties state that neither side intends to take discovery and that this matter can be resolved on motions for summary judgment. Accordingly, the parties propose limited deadlines geared towards resolving this case on dispositive motions.

In light of the parties' joint status report (ECF No. 18), IT IS ORDERED as follows:

1. The initial scheduling conference set for July 12, 2022, is vacated.
2. The Court sets the following deadlines proposed by the parties:
 - a. Deadline for non-dispositive and dispositive pre-trial motions: July 14, 2022.
 - b. Deadline for Defendants' Cross-Motion for Summary Judgment and Opposition to Plaintiff's Motion for Summary Judgment: July 14, 2022.
 - c. Deadline for Plaintiff's Opposition to Defendants' Motion for Summary Judgment and Reply: July 25, 2022.
 - d. Deadline for Defendants' Reply: August 4, 2022.
3. After the rulings on the motions for summary judgment have been issued, should the matter go forward, the parties are directed to file within ten days of the last applicable ruling a joint status report, addressing how the parties plan to proceed and what deadlines, if any, need to be set in the case.
4. The Clerk of Court is directed to terminate as moot the parties' joint motion to stay. (ECF No. 11).

IT IS SO ORDERED.

Dated: July 5, 2022

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE